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GOVERNMENT GAZETTE

BOLETIM OFICIAL

Government Press

The Punjab Legislative Council (Abolition) Act, 1969

Notice

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ACT

The subscribers to the Government Gazette are kindly reminded that their present subscription term ends on the 31st of March 1970, which is the close of the financial year.

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GOVERNMENT OF GOA, DAMAN AND DIU

Law and Judicial Department

Notification

LD/2/N-83/70

The Punjab Legislative Council (Abolition) Act, 1969 which was recently passed by the Parliament and assented to by the President of India on 27th December, 1969 is hereby published for general information of public.

M. S. Borkar, Under Secretary.

Panaji, 12th February, 1970.

to provide for the abolition of the Legislative Council of the State of Punjab and for matters supplemental, incidental and consequential thereto.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Punjab Legislative Council (Abolition) Act, 1969.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Definitions.**— In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means, as respects a law relating to a matter enumerated in List I in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government;

(b) “article” means an article of the Constitution;

(c) “Council” means the Legislative Council of the State of Punjab;

(d) “law” includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or any part of the State of Punjab;

(e) “Legislative Assembly” means the Legislative Assembly of the State of Punjab.

3. **Abolition of the Council.**— (1) The Legislative Council of the State of Punjab is hereby abolished.

(2) On the abolition of the Council, every member thereof shall cease to be such member.

4. **Amendment of article 168.**— In sub-clause (a) of clause (1) of article 168, the word, “Punjab”, shall be omitted.

5. **Amendment of Act 43 of 1950.**—In the Representation of the People Act, 1950,—

(a) in the Third Schedule, entry No. 7 relating to Punjab shall be omitted;

(b) in the Fourth Schedule, the heading "Punjab" and the entries thereunder shall be omitted.

6. **Repeal of Delimitation of Council Constituencies (Punjab) Order, 1951.**—The Delimitation of Council Constituencies (Punjab) Order, 1951, is hereby repealed.

7. **Provision as to pending Bills.**—(1) A Bill pending in the Council immediately before the commencement of this Act which has not been passed by the Legislative Assembly shall lapse on the abolition of the Council.

(2) A Bill pending in the Council immediately before the commencement of this Act which has been passed by the Legislative Assembly shall not lapse on the abolition of the Council, but on such abolition shall be deemed to have been passed before such commencement by both Houses of the Legislature of the State of Punjab in the form in which it was passed by the Legislative Assembly.

(3) If a Bill which having been passed by the Legislative Assembly is, before the commencement of this Act, either rejected by the Council or passed by the Council with amendments, the Legislative Assembly may, after such commencement, pass the Bill again with or without such amendments, if any, as have been made by the Council and the Bill so passed shall be deemed to be a Bill introduced in and passed by the Legislative Assembly after the commencement of this Act.

8. **Power to adapt laws.**—The appropriate Government may, before the expiration of one year from the commencement of this Act, by order, make such adaptations and modifications of any law made before such commencement, whether by way of repeal or amendment as may be necessary or expedient in consequence of the abolition of the Council under section 3, and thereupon every such law shall have effect subject to the adaptations and modifications so made.

9. **Power to construe laws.**—Notwithstanding that no provision or insufficient provision has been made under section 8 for the adaptation or modification of a law made before the commencement of this Act, any court, tribunal or authority required or empowered to enforce such law may construe the law in such manner, without affecting the substance, as may be necessary or proper on account of the abolition of the Council, in regard to the matter before the court, tribunal or authority.

Notification

LD/2/N-85/70

The Salaries and Allowances of Ministers (Amendment) Act, 1969, which was recently passed by the Parliament and assented to by the President of India on 27th December 1969 is hereby published for general information of public.

M. S. Borkar, Under Secretary.

Panaji, 12th February, 1970.

The Salaries and Allowances of Ministers (Amendment) Act, 1969

AN
ACT

further to amend the Salaries and Allowances of Ministers Act, 1952.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 1969.

(2) It shall be deemed to have come into force on the 1st day of November, 1966.

2. **Amendment of Section 4.**—Section 4 of the Salaries and Allowances of Ministers Act, 1952 shall be re-numbered as 58 of 1952 sub-section (1) thereof and,—

(i) in sub-section (1) as so re-numbered, for the words "fifteen days", the words "one month" shall be substituted; and

(ii) after sub-section (1) as so re-numbered and before the *Explanation*, the following sub-section shall be inserted, namely:—

"(2) In the event of the death of the Minister, his family shall be entitled to the use of the furnished residence occupied by the Minister—

(a) for a period of one month immediately after his death, without payment of rent and no charge shall fall on the family of the Minister in respect of the maintenance of such residence, and

(b) for a further period of one month, on payment of rent at such rates as may be prescribed by rules made in this behalf by the Central Government and also charges in respect of electricity and water consumed in that residence during such further period."

Notification

LD/2/N-86/70

The Appropriation (Railways) No. 5 Act, 1969 which was recently passed by the Parliament and assented to by the President of India on 27th December, 1969 is hereby published for general information of the public.

M. S. Borkar, Under Secretary.

Panaji, 12th February, 1970.

The Appropriation (Railways) No. 5 Act, 1969

AN
ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1969-70 for the purposes of Railways.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Appropriation (Railways) No. 5 Act, 1969.

2. Issue of Rs. 3,000 out of the Consolidated Fund of India for the financial year 1969-70. — From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of three thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1969-70, in respect of the services relating to Railways specified in column 2 of the Schedule.

3. Appropriation. — The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		Total
		Voted by Parliament	Charged on the Consolidated Fund	
		Rs.	Rs.	Rs.
2	Miscellaneous Expenditures	1,000	...	1,000
15	Open Line Works— Capital, Depreciation Reserve Fund and Development Fund ...	2,000	...	2,000
	TOTAL ...	3,000	...	3,000

Notification

LD/2/N-88/70

The Calcutta Port (Amendment) Ordinance, 1970 (No. 2 of 1970) as promulgated by the President of India is hereby reproduced below for general information of public.

M. S. Borkar, Under Secretary.

Panaji, 19th February, 1970.

THE CALCUTTA PORT (AMENDMENT) ORDINANCE, 1970

No. 2 of 1970

Promulgated by the President in the Twenty-first Year of the Republic of India.

An Ordinance further to amend the Calcutta Port Act, 1890.

Whereas a Bill further to amend the Calcutta Port Act, 1890, has been introduced in Parliament but has not yet been passed;

And Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the Bill;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. Short title and commencement. — (1) This Ordinance may be called the Calcutta Port (Amendment) Ordinance, 1970.

(2) It shall come into force at once.

2. Bengal Act 3 of 1890 to be temporarily amended. — During the period of operation of this Ordinance, the Calcutta Port Act, 1890 (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

3. Insertion of new section 35A. — After section 35 of the principal Act, the following section shall be inserted, namely:—

“35A. Power of Commissioners to undertake certain works. — The Commissioners may undertake to carry out on behalf of any person (including any State Government) any works or services or any class of works or services on such terms and conditions as may be agreed upon between the Commissioners and such person.”

4. Amendment of section 37. — In section 37 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Nothing in this section shall apply to any work referred to in section 35A.”

V. V. GIRI,
President.

N. D. P. NAMBOODIRIPAD,
Joint Secy. to the Govt. of India.

Agriculture Department

Notification

10-6/GOI-AGR/69

The following Notification of the Government of India, Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture) is hereby published for general information.

S. N. Dhumak, Under Secretary (Development).

Panaji, 18th February, 1970.

29th Magha, 1891.

GOVERNMENT OF INDIA

MINISTRY OF FOOD, AGRICULTURE, COMMUNITY
DEVELOPMENT AND COOPERATION
(Department of Agriculture)

New Delhi dated the 1st/2nd December, 1969

S. O. — (F. No. 8 (3)/69-Seeds Dev.) In exercise of the powers conferred by section 8 of the Seeds

Act, 1966 (54 of 1966), the Central Government in consultation with the Administration of Goa, Daman and Diu, hereby appoints the National Seeds Corporation Ltd., a company registered under the Companies Act, 1956 (1 of 1956) as a certification agency for the Administration of Goa, Daman & Diu upto April 1970.

Sd/-

SARAN SINGH

Joint Secretary to the Government of India.

Local Self Government Department

Notification

LSG/MUN/1436/69

In exercise of the powers conferred by Section 306 read with clauses 11, 13 and 19 of section 78 of the Goa, Daman and Diu Municipalities Act, 1968 (Act No. 7 of 1969) and of all other powers enabling it in that behalf, the Government of Goa, Daman and Diu hereby makes the following rules, the same having been previously published as required by sub-section (3) of section 306, namely:—

1. **Short title.**—These rules may be called the Goa, Daman and Diu Municipalities (Conduct of Business) Rules, 1969.

2. **Definition.**—In these rules, unless the context otherwise requires,—

(a) "Act" means the Goa, Daman and Diu Municipalities Act, 1968 (Act No. 7 of 1969);

(b) "Form" means a form appended to these rules;

(c) "section" means a section of the Act.

3. **Notice of meeting.**—(1) Every notice of a meeting of the Council under clause (4) of section 78 shall be in Form A.

(2) Every such notice (not being a notice of a meeting referred to in clause (14) of section 78) may be either delivered by hand or sent by registered post.

4. **Attendance Register.**—(1) An attendance register shall be maintained in Form B showing the names of the Councillors. It shall be placed in the meeting hall at the commencement of each meeting, and every Councillor attending the meeting shall sign against his name in the register as soon as he enters the meeting hall.

(2) Where a Councillor is unable to sign his name, he may with the help of any other Councillor or any officer or servant of the Council put his thumb impression against his name in the register and such thumb impression shall be duly attested by any person authorised by the presiding authority in that behalf.

5. **Order of Business.**—Subject to the provisions of clause (11) of section 78, the order of business for every meeting shall be arranged as far as possible in the following order, namely:—

(a) confirmation of the minutes of the last meeting kept in accordance with Parts I and II of Form C;

(b) questions from Councillors;

(c) elections and appointments to be made by the general meeting;

(d) resolutions of the Standing Committee;

(e) resolutions of any other Committees;

(f) communications from Government or Government Officers;

(g) consideration of motions, which are part of the business to be transacted at the meeting;

(h) any other business to be transacted at the meeting.

6. **Presiding Authority in absence of President or Vice-President.**—If within fifteen minutes of the time appointed for a meeting, at which a quorum is present, the President fails to appear at the place of the meeting, the Vice-President, and if both the President and Vice-President fail to appear at such place within such time, a Councillor chosen by the Councillors present at the meeting, shall preside over the meeting as provided in clause (6) of section 78:

Provided that,—

(i) where the President attends the meeting at any time after the proceedings have commenced, the Vice-President or the Councillor so presiding shall vacate the chair, and the meeting shall continue with the President as the presiding authority; and

(ii) where the President is not present and the Vice-President attends the meeting at any time after the proceedings have commenced, the Councillor so presiding shall vacate the chair, and the meeting shall continue with the Vice-President as the presiding authority.

7. **Raising point of order.**—(1) Any Councillor may at any time submit a point of order for the decision of the presiding authority, but in doing so he shall confine himself to stating the point.

(2) The decision of the presiding authority on any point of order shall be final.

(3) No discussion on any point of order shall be allowed, except with the consent of the presiding authority.

8. **Resumption of seat.**—(1) A Councillor called to order by the presiding authority shall resume his seat.

(2) If any time, while a Councillor is speaking, the presiding authority rises or a Councillor rises to a point of order, the Councillor speaking shall immediately resume his seat.

9. **Duration of speeches.**—The presiding authority may, having regard to the state of business before the meeting and the nature of the subject, prescribe a time limit for speeches on any subject.

10. Manner of speaking. — (1) A Councillor desiring to speak on any matter before the meeting shall rise in his seat and, if called upon by the presiding authority, address his remarks to the presiding authority. If he is not called upon, he shall resume his seat:

Provided that, a Councillor disabled by sickness or infirmity may be permitted by the presiding authority to address the meeting sitting.

(2) If more than one Councillor rise simultaneously to address the meeting, the presiding authority shall decide who shall speak first.

(3) A Councillor shall not read his speech, but may refresh his memory by reference to notes.

11. Right of presiding authority to address meeting. — The presiding authority may address the meeting at any stage of the debate, without any time limit for speech, and while so addressing shall rise in its seat:

Provided that, presiding authority disabled by sickness or infirmity may address the meeting sitting.

12. Interruption during speech. — If while a Councillor is speaking another Councillor desires to make an explanation or to seek any explanation or information from the Councillor speaking, he shall rise in his seat and, if called upon by the presiding authority, shall make the explanation or seek the explanation or information. If not so called upon, he shall resume his seat. The presiding authority shall not call upon the Councillor so rising, unless the Councillor speaking resumes his seat.

13. Talk amongst Councillors. — The Councillors shall not talk amongst themselves in the meeting so as to interrupt the proceedings or disturb a Councillor who is speaking.

14. Withdrawal from meeting. — A Councillor who desires to leave a meeting while proceedings are going on shall, immediately before leaving, rise in his seat and bow to the presiding authority.

15. Questions. — (1) A Councillor may address questions to the President or the Chairman of the Standing or any Subjects Committee on matters connected with the functions and duties of the Council under the Act.

(2) The Councillor seeking to address the question shall give under his signature or thumb impression a notice of the question together with a copy thereof to the Chief Officer at least fifteen days before the meeting of the Council at which it is to be replied.

(3) Subject to the provisions of sub-rule (5), the Councillor shall be entitled to an oral reply in the meeting or at any subsequent meeting if the presiding authority for proper reasons deems it fit to extend the time:

Provided that, if in the opinion of the presiding authority any question entitled to an oral answer is of such a nature that a written reply would be more appropriate, it may direct that such question shall be answered with a written reply at the meeting or at any subsequent meeting.

(4) The question shall be answered by the President or the Chairman concerned.

Provided that, the Chief Officer may, with the permission of the presiding authority, answer any question on behalf of the President or such Chairman.

(5) The President may disallow any question —

(a) in respect of which fifteen clear days notice in writing specifying the question has not been given to the Chief Officer; or

(b) which calls for an expression of opinion or for the solution of an abstract legal question or of a hypothetical proposition; or

(c) which concerns or is directly connected with, any pending suit or proceedings in any court of law or before any judicial tribunal; or

(d) which relates to the character or conduct or performance of any Councillor or an officer or servant serving under or employed by the Council other than in his official or public capacity; or

(e) which is, or by implication may be, defamatory or which makes or implies a charge of personal character against any person or any community or a section of any community; or

(f) which contains arguments, inferences, imputations, ironical expressions, epithets, or defamatory statements; or

(g) which relates to a matter with which the Council is not concerned; or

(h) which, in the opinion of the presiding authority, is frivolous, trivial, vexatious or offensive; or

(i) if it seeks information about matters which are in their nature secret; or

(j) which involves the communication of information given to the presiding authority or any officer or servant of the Council in confidence; or

(k) which contains any name or statement not strictly necessary to make the question intelligible; or

(l) which relates to the individual service matters including grievances or complaints of officers or servants of the Council; or

(m) which is of excessive length; or

(n) which repeats in substance questions already answered or to which an answer has been refused:

Provided that, the President may allow any question in an amended form.

(6) If any doubt arises whether any question does or does not fall under any of the clauses of sub-rule (5), the President shall decide the point and his decision shall be final.

(7) If a question contains a statement, the Councillor shall be responsible for the accuracy of the statement.

(8) Subject to the provisions of this rule, every question which has not been disallowed shall be entered in the list of questions for the day and shall be called, if the time made available permits, in the order in which it stands in the list.

(9) After the question has been answered, any Councillor may put supplementary questions for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that, the presiding authority may disallow any supplementary question if, in its opinion, it infringes any of the provisions of sub-rule (5).

(10) If the presiding authority is satisfied that sufficient information is not available for an answer to be given to a supplementary question at the same meeting, it may direct that an answer to such a question may be given at the next ordinary meeting of the Council.

(11) No debate or speech shall be allowed on any question.

(12) All questions whether allowed or disallowed and replies given shall be incorporated in Part III of the register in Form C.

16. Admissibility of motion. — No motion shall be admissible which does not comply with the following conditions, namely: —

(a) it shall be clearly and precisely expressed and shall raise only one definite issue;

(b) it shall not contain arguments, inferences, ironical expressions or defamatory statements;

(c) it shall not refer to the conduct or character of any Councillor or an officer or servant serving under or employed by the Council except in his official or public capacity;

(d) it shall not relate to any matter such as is mentioned in clause (i) of sub-rule (2) of rule 25.

17. Motion how moved. — (1) Unless otherwise expressly provided, every motion (not being a formal motion, such as a motion for adjournment, closure, and the like), shall be handed over or sent by the proposer in writing after putting his signature or thumb impression thereon to the President or the Chief Officer before it is moved. Where a motion has been handed over or sent to the President, a copy thereof shall be sent to the Chief Officer.

(2) Subject to the provisions of clause (10) of section 78, no motion which has not been received by the President or Chief Officer as provided in sub-rule (1), at least fifteen days before the date of a meeting, shall be included in the business to be transacted in that meeting:

Provided that, the President may in special circumstances for reasons to be recorded in writing, include a motion which has been received not less than seven days before the date of the meeting.

(3) If the Chief Officer, on receipt of the motion by him, is of the opinion that the motion is not consistent with the provisions of the Act or the rules or bye-laws made thereunder or that it entails expenditure from the Municipal Fund and no financial sanction has been obtained therefor, he shall forward his views to the President. Where the motion is in order, the Chief Officer shall prepare a brief note thereon giving the necessary information from the financial and administrative points of view.

18. Seconding. — Except a motion of an amendment suggested by the presiding authority which does not require to be seconded, no motion or amendment

shall be taken up for discussion unless and until it is seconded by a Councillor who is entitled to vote.

19. Provision in the absence of a mover. — If a Councillor who has given a notice of a motion is absent, any other Councillor entitled to vote and authorised by him in writing may move it.

20. Withdrawal of motion. — Any motion which has been proposed and seconded may be withdrawn by the proposer, with the consent of the Councillor who seconded the motion and with the permission of the Council.

21. Motion once withdrawn cannot be proposed in the same meeting. — A motion which has once been withdrawn under rule 20 shall not be moved again at the same meeting (including an adjourned meeting if the meeting is adjourned).

22. Limitations on certain motions. — A notice of a proposition for priority for any item under the proviso to clause (11) of section 78 shall be given to the Chief Officer before the commencement of the meeting and no debate or speech shall be allowed on any such proposition.

23. Proposal to postpone. — (1) A motion to postpone the consideration of any matter may be moved by any Councillor at any time after it is taken up and such motion shall take precedence over any other motion relating to that matter.

(2) The presiding authority, after permitting a brief explanatory statement from the mover of the motion and if the motion is opposed by not more than one Councillor, shall, without further debate, put the motion to vote.

(3) A motion for the postponement of consideration of any matter shall not, without the permission of the presiding authority, be made more than once during the debate on any matter.

24. Discussion. — (1) On a motion or amendment being moved and seconded, the presiding authority shall read it or cause it to be read to the meeting; it shall then be considered to be before the meeting for discussion. The mover may then speak in support of the motion or amendment and the seconder may either follow or reserve his speech for a later stage of the debate thereon. Other Councillors may, save as otherwise provided, speak on the motion in the order in which they are called upon by the presiding authority.

(2) The Chief Officer may express his views on the motion if it is inconsistent with the provisions of the Act or the rules or bye-laws made thereunder or involves expenditure from the Municipal Fund.

(3) No Councillor who has once addressed the meeting on a motion shall subsequently move or second an amendment thereto or otherwise take part in the debate on that motion.

(4) A Councillor shall not vote or take part in the discussion of any matter before a meeting or ask any question under rule 15 concerning any matter in which he has, directly, or indirectly, by himself, or by his partner, any share or interest such as is described in sub-section (3) of section 16, or in which

he is professionally interested on behalf of a client, principal or other person.

25. Limitation of debate.—(1) The matter of every speech must be relevant to the subject on which it is made.

(2) A Councillor while speaking shall not—

(i) refer to any matter of fact which is under adjudication before a Court of law (including any Tribunal) having jurisdiction in any part of India;

(ii) make a personal charge against another Councillor;

(iii) reflect upon any decision arrived at by the Council on any matter except on a fresh motion relating to such matter;

(iv) use offensive or defamatory expressions;

(v) use his right of speech for the purpose of obstructing the business of the meeting;

(vi) disclose the proceedings of any Committee appointed by the Council; or

(vii) discuss any ruling, order or discretion of the presiding authority except—

(a) the ruling, order or discretion of the presiding authority on a resolution for the removal from Office of the President or Vice-President brought under sub-section (1) of section 56; and

(b) with the consent of the presiding authority.

(3) (a) The presiding authority or a Councillor who objects to any offending words shall move either at once or at the conclusion of the speech of the Councillor who used such offending words "that the words be recorded". If his motion is agreed to, the presiding authority shall direct that the words be recorded.

(b) A Councillor whose words have been recorded shall be guilty of a breach of order.

(4) The presiding authority, having called the attention of the meeting to the conduct of the Councillor who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other Councillors in debate or wilfully contravenes the provisions of sub-rule (1) or any other rule, may direct him to discontinue his speech.

26. Opening adjourned debate.—On resumption of an adjourned debate, the Councillor who was addressing the meeting immediately prior to the adjournment shall be entitled to speak first.

27. Power of presiding authority to divide motion or amendment.—When any motion or amendment involves several points, the presiding authority may divide it and put each or any point separately to vote as it may think fit.

28. Grouping of motions and amendments.—The presiding authority may group together two or more motions or amendments for consideration of a meeting, provided the subject-matter of the motions or amendments is substantially the same.

29. Amendments.—(1) After a motion has been moved and seconded, amendments may be proposed thereto.

(2) Every amendment shall be relevant to the motion and may propose a variation thereof, an addition thereto, or omission therefrom, but no amendment shall be a direct negation of the motion before the meeting or shall in substance be the same which has already been negated at the same meeting.

(3) Any number of amendments may be moved before the meeting at the same time, but no Councillor shall propose more than one amendment to the same motion and no Councillor who has proposed or seconded any motion shall propose or second an amendment thereto.

(4) When an amendment to an amendment is moved, the amendment sought to be amended shall be, as long as the amendment by which it is sought to be amended is under discussion, be deemed to be the substantive proposition before the meeting.

(5) An amendment in the alternative shall not be moved.

(6) The presiding authority may disallow any amendment which is in its opinion frivolous.

(7) No amendment shall be moved after a Councillor has commenced his right of reply.

30. Right to reply.—The mover, or if the mover waives his right, the seconder of a substantive motion, may reply at the conclusion of the debate on it but no other Councillor shall speak on the same motion or amendment, after the reply, except to explain, with the permission of the presiding authority, any material ambiguity in the speech of reply.

31. Closure.—(1) The presiding authority or any Councillor may at any time move "that the question be now put to vote" and if the motion is carried, the presiding authority, after allowing the mover or the seconder to reply to the debate under rule 30, shall put the motion together, with the amendment, if any, to vote.

(2) There shall be no debate on a motion for closure.

(3) If a motion for closure is lost, it shall not be moved again until after a lapse of fifteen minutes.

32. Voting on original motion and amendments.—(1) On the conclusion of the debate on a motion or where the presiding authority is satisfied that the motion has been sufficiently discussed, it may, after allowing the mover or seconder his right to reply, put the motion to the vote of the meeting without further discussion.

(2) The votes shall be taken in the following manner—

(a) when there is only one amendment to the motion,—

(i) the amendment shall first be put to vote;

(ii) if the amendment is lost, the motion shall then be put to vote;

or

(iii) if the amendment is carried, the amended motion shall be put to vote;

(b) when there are more than one amendment,—

(i) the amendments shall first be put to vote one after another in such order as the presiding authority may decide;

(ii) if all amendments are lost, the motion shall then be put to vote;

(iii) if all or any of the amendments are carried, the amended motion shall be put to vote.

33. Methods of recording votes.—Votes shall ordinarily be taken by a show of hands, but on special occasion, if the presiding authority so decides, votes may be taken by ballot, provided that votes in respect of any motion or proposal involving financial commitments shall not be recorded by ballot by the presiding authority, but the names of the Councillors voting for or against such motion or proposal shall be recorded as provided in clause (12) of section 78.

34. Voting by ballot.—When votes are taken by ballot, each Councillor shall record his vote on a voting paper. The papers used for voting shall not be destroyed until after one month from the date of declaration of the result.

35. Voting not compulsory.—Any Councillor present at the meeting may refrain from voting if he so chooses to do.

36. Result in case of equality of votes.—When there is an equality of votes and the presiding authority refrains from giving its casting or second vote, the proposition shall be held to have lapsed and shall not be brought forward at any subsequent meeting till a period of three months has elapsed.

37. Declaration of result.—(1) As soon as the votes have been counted the presiding authority shall, subject to the provisions of clause 13 of section 78, then and there declare the result of voting which shall be duly recorded in the minute book.

(2) Where votes are taken by show of hands, a declaration by the presiding authority that a resolution or motion has been carried and an entry to that effect in the minute book shall be conclusive evidence of the fact that the resolution or motion has been carried.

38. Voting on budget estimate, etc.—(1) When a budget estimate, a supplementary budget estimate, a proposition for a reappropriation of funds, a code of rules or bye-laws, a list of lands for sale or purchase or lease or transfer, a list of items for write off, lists of arrears, accounts of the Council or such other propositions as the Standing Committee decides, is laid before a meeting, the presiding authority may group the items in such groups as may be convenient to it and propose to the meeting for each group in succession, an appropriate resolution approving the proposal, such resolution being seconded before it is proceeded with:

Provided that, the presiding authority may sub-divide or re-arrange the groups:

Provided further that, if on the sense of the meeting being taken by the presiding authority, all Councillors present are of the opinion that no item or group should be considered separately, the whole question shall be considered as one proposition.

(2) No debate or speech shall be allowed when the opinion or sense of the meeting is being taken under the second proviso to sub-rule (1).

39. Form of minutes.—The minutes of every meeting shall be kept in accordance with clause (12) of section 78 in a book in Form C.

40. Minutes.—(1) If after the minutes are placed before the next meeting of the Council, any Councillor objects to the minutes as having been incorrectly or incompletely recorded, the presiding authority shall, after taking the sense of the meeting, make such amendments in the minutes as the meeting deems proper and shall confirm and sign the minutes as so amended. The presiding authority shall initial or sign all amendments so made.

(2) No debate or speech shall be allowed on any objection to the minutes raised under this rule.

(3) The record of the minutes of the meeting shall always contain the views, if any, expressed by the Chief Officer, on the motion or resolution at the meeting.

FORM "A"

(See rule 3)

Form of Notice of Meeting

No. ...

Office of the Municipal Council.

Date ...

Notice is hereby given to *Shri/Shrimati ... Councillor of the ... Municipal Council that an ordinary */a Special meeting of the Municipal Council will be held on the ... day of ... at ... (time ...) in the Municipal office situated at ..., for transacting business mentioned in the Annexure.

The Councillor is requested to make it convenient to attend the meeting.

A copy of the motion */proposition of which written notice has been given by a Councillor */the Councillors of his */their intention to bring forward at the meeting */mentioned in the written request for the special meeting, is enclosed.

(Signature) ...

(Designation) ...

* Score out what is inapplicable.

ANNEXURE to Form "A"

Business to be transacted at ... meeting of the Municipal Council on the ... day of ...

1. ...
2. ...
3. ...
4. ...
5. ...
- etc. ...

(Signature) ...

(Designation) ...

FORM "B"

(See rule 4)

Attendance Register

Date of meeting ...

Name of the Councillor. 1	Signature or thumb impression duly attested. 2
1.
2.
3.
4.
5.
etc.

FORM "C"

(See rules 5 and 39)

Minute Book

PART I

Date and time of meeting	Names of Councillors present	Names of others who attended the meeting	Proceedings in brief
1	2	3	4

(Signature) ...

(Presiding Authority) ...

PART II

Date and time of meeting	Subject of motion	Wording of motion	Names of proposer and seconder	Amendments, if any	*Number of votes given		Final resolution after the vote on amendments		
				Wording Names of — (i) proposer, (ii) seconder.	For	Against	Wording	Serial No.	
1	2	3	4	5	6	7	8	9	10

* When votes are not recorded by ballot, give also the names of Councillors who voted for and against the motion in columns 7 and 8, respectively.

(Signature) ...

(Presiding Authority) ...

PART III

[See sub-rule (12) of rule 15]

Register of Questions

Date of meeting ...

Question	Name of the Councillor who tabled the question	Whether allowed or disallowed	Reply given, if any	If reply given, by whom
1	2	3	4	5

By order and in the name of the Administrator of Goa, Daman and Diu.

A. N. Dixit, Secretary to Government.

Panaji, 7th February, 1970.

Industries and Power Department

Notification

In exercise of the powers conferred by section 30 of the Inland Steam Vessels Act, 1917 (1 of 1917), the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to amend the Schedule to the Government Notification N. I & L/1545/65/3905 dated 26th August, 1965, namely: —

In all the five forms of certificates of service annexed to the rules made as per the Government notification No. I & L/1545/65/3905 dated 26th August, 1965 published in the Government Gazette Supplement, Series I, No. 23 dt. 2-9-1965, in the specimens of certificate of Service, the existing words.

"Countersigned
Captain of Ports
Panaji (Goa)."

Shall be deleted.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

V. R. Vaze, Under Secretary, Industries & Labour Department.

Panaji, 9th March, 1970.

Labour and Information Department

Mormugao Port Trust

Notification

MPT/IGA(E.1017)/69

As required under Section 124(2) of the Major Port Trusts Act, 1963, the following amendments adopted by the Board of Trustees are hereby published: —

I. Amendment to Mormugao Port Employees (Pension & Gratuity) Regulations, 1966.

Introduce the following note in Regulation 49 below sub-clause (f):

"Note: — With effect from 1-12-68 in the case of Class I and Class II employees only, the Dearness Pay appropriate to the pay of the employee shall be treated as pay".

II. Amendment to Mormugao Port Employees (Contributory Provident Fund) Regulations, 1965.

Introduce the following note below Regulation 2(4): —

"Note: — In the case of Class I and Class II employees only, the dearness pay appropriate to the pay of the employees shall be treated as pay, with effect from 1-7-1969, provided that where employees concerned desire, to pay the arrears of subscription from 1-12-1968, the dearness pay will be treated as pay with effect from that date".

III. Amendment to Mormugao Port Employees (General Provident Fund) Regulations, 1964.

Introduce the following note below Regulation 2(3): —

"Note: — In the case of Class I and Class II employees only, the dearness pay appropriate to the pay of the employee shall be treated as pay with effect from 1-7-1969."

IV. Amendment to Mormugao Port Employees (Leave) Regulations, 1964.

Introduce the following as Explanation (7) in Regulation 14, after explanation (6).

"Explanation (7):— "With effect from 1-12-68 for the purpose of computation of leave salary, the average pay, half average pay etc., of Class I and Class II employees only, shall be calculated on pay and the rates of dearness allowance shall then be determined on the amount so arrived at, the appropriate portion of it being treated as dearness pay".

Provided that during leave preparatory to retirement (in or out of India) in excess of the first four

months, dearness allowance of an amount equal to the dearness pay appropriate to the leave salary if the leave is on full pay, and half of such amount, if otherwise may be granted".

V. Amendment to the Mormugao Port Employees (Grant of Advances for purchase of conveyances) Regulations, 1969.

Number the existing note under Regulation 4 (c) as Note (1) and introduce the following as Note (2) below the existing note: —

"Note (2): In the case of class I and class II employees only, the dearness pay appropriate to the pay of the employee shall be treated as pay".

By order,

Shivakumar Dhindaw

Secretary

Mormugao, 23rd December, 1969.